



General Assembly

January Session, 2005

Committee Bill No. 634

LCO No. 4683

04683SB00634ENV

Referred to Committee on Environment

Introduced by:
(ENV)

AN ACT CONCERNING DAMAGE BY ROAMING LIVESTOCK.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2005*) (a) For purposes of this
2 section, "livestock" includes, but is not limited to, cervids, camilids,
3 bison, buffalo, cattle, ostrich, emu, equine, horses, asses, mules, sheep,
4 swine or goats.

5 (b) Owners of livestock or a land owner on whose land livestock are
6 kept shall be liable for the reasonable cost of repairing damage done by
7 such livestock where (1) the livestock is at large contrary to law, (2) the
8 livestock is unruly and is not restrained by ordinary fences, (3) the
9 owner of the livestock or the land owner on whose land livestock are
10 kept puts the livestock into trespass, or (4) the livestock is voluntarily
11 trespassing. In such situations, the owner of the land on which the
12 livestock causes damage may impound the livestock and recover
13 reasonable costs associated with the feeding and care of the livestock.

14 (c) Owners of livestock or a land owner on whose land livestock are
15 kept shall not be liable for the cost of repairing damage done by such
16 livestock where the fence or barrier used to enclose the livestock has

17 been (1) determined by the Commissioner of Agriculture, or a
 18 designated agent thereof, to be sufficient to control such livestock, (2)
 19 damaged by natural acts not under the control of such owner or land
 20 owner, or (3) compromised by criminal or other malicious acts,
 21 including, but not limited to, vandalism, trespass, or another
 22 intentional act not under the control of such owner or land owner.

23 (d) A municipal animal control officer or chief animal control officer
 24 of a municipality may impound roaming livestock and recover
 25 reasonable costs associated with the feeding and care of the livestock.

26 (e) Persons impounding livestock pursuant to this section shall
 27 make a reasonable effort to notify the owner of such livestock or the
 28 land owner on whose land the livestock are kept.

29 Sec. 2. Section 47-55 of the general statutes is repealed. (*Effective*
 30 *October 1, 2005*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2005</i>	New section
Sec. 2	<i>October 1, 2005</i>	47-55 repealed

Statement of Purpose:

To establish a liability scheme for damage caused by roaming livestock.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. STILLMAN, 20th Dist.

S.B. 634